

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC
RECORDING CORPORATION; ARISTA
MUSIC, fka BMG MUSIC; CAPITOL
RECORDS, INC.; ELEKTRA
ENTERTAINMENT GROUP INC.;
INTERSCOPE RECORDS; LAFACE
RECORDS LLC; MOTOWN RECORD
COMPANY, L.P.; PRIORITY RECORDS LLC;
SONY MUSIC ENTERTAINMENT, fka SONY
BMG MUSIC ENTERTAINMENT; UMG
RECORDINGS, INC.; VIRGIN RECORDS
AMERICA, INC.; and WARNER BROS.
RECORDS INC.,

ECF Case

06 CV 5936 (KMW)(DF)

Plaintiffs,

v.

LIME GROUP LLC; LIME WIRE LLC; MARK
GORTON; GREG BILDSON; and M.J.G. LIME
WIRE FAMILY LIMITED PARTNERSHIP,

Defendants.

**DEFENDANTS' NOTICE OF MOTION
AND MOTION TO FILE CONFIDENTIAL MATERIAL UNDER SEAL**

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Attorneys for Defendants

NOTICE TO THE COURT, PLAINTIFFS AND THEIR COUNSEL OF RECORD:

On motion of the parties, the Court entered a Stipulation and Protective Order on March 8, 2007 (the “Protective Order”), a copy of which is on file with the Court (Dkt. 21). Information produced by a party may be designated under the terms of the Protective Order if it believes in good faith that it reflects proprietary information which is not generally known, or if the party has a good faith belief that such materials are particularly sensitive. *See Protective Order ¶¶ 1, 15.* Paragraph 14 of the Protective Order requires a party submitting Confidential or Confidential-Attorney’s Eyes Only material to the Court to file such material under seal to protect it from disclosure.

Pursuant to the Protective Order, Defendants Lime Group LLC, Lime Wire LLC, Mark Gorton, and M.J.G. Lime Wire Family Limited Partnership (collectively, “Defendants”) hereby move this Court to place under seal, until further order of this Court, the following documents filed pursuant to the Court’s November 19, 2010 Order:

- Defendants’ Memorandum of Law in Opposition to Plaintiffs’ Motion for Expedited Appointment of Receiver;
- Declaration of Michael J. Freedman, dated November 23, 2010;
- Declaration of Kevin Faaborg, dated November 23, 2010; and
- Declaration of Todd G. Cosenza, dated November 23, 2010.

These documents have been designated by Defendants as Confidential-Attorney’s Eyes Only under the Protective Order. These documents describe in detail Defendants’ efforts to comply with the Court’s October 26, 2010 Permanent Injunction. If such details are made public, it may increase the ability of third parties to subvert Defendants’ efforts to disable sharing

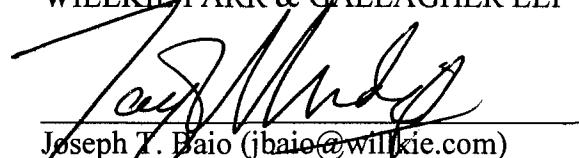
of copyrighted materials using LimeWire software. Defendants believe that sealing the documents will enhance compliance with the Permanent Injunction.

Accordingly, Defendants respectfully request that the above-listed document be maintained under seal until further order of this Court.

Dated: November 23, 2010

Respectfully Submitted,

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